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Letter dated 18 September 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 10 April 2002 (S/2002/392).

The Counter-Terrorism Committee has received the attached supplementary report from the Syrian Arab Republic submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its attachment to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 9 September 2002 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

With reference to your note dated 27 March 2002, I have the honour to submit herewith the attached supplementary report of the Government of the Syrian Arab Republic in response to the request of the Counter-Terrorism Committee established pursuant to resolution 1373 (2001) concerning terrorism (see enclosure).

(*Signed*) Mikhail **Wehbe**
Ambassador

Enclosure

Supplementary report of the Government of the Syrian Arab Republic

[Original: Arabic]

The Permanent Mission of the Syrian Arab Republic to the United Nations in New York presents its compliments to the Counter-Terrorism Committee created pursuant to Security Council resolution 1373 (2001) of 28 September 2001 and has the honour to submit to the Committee the responses to the questions prepared by experts, approved by the Committee and transmitted to the Syrian Arab Republic by the Committee in its letter No. S/AC.40/2002/MS/OC.24 of 27 March 2002. In submitting this reply to the Committee, the Permanent Mission wishes once again to stress the following principles and bases, which underlie its preparation:

1. Inasmuch as Security Council resolution 1373 (2001) lacks any clear definition of the concept of terrorism or of the terrorist acts or entities to be combated, the Syrian Arab Republic has based itself, in the present reply, on its commitments under the 1998 Arab Convention for the Suppression of Terrorism, which distinguishes between terrorism and the legitimate struggle against foreign occupation, on its commitments under the international conventions against terrorism to which Syria is a party and on the provisions of Security Council resolution 1333 (2000);

2. The Syrian Arab Republic reaffirms its condemnation of terrorism in all its forms and its commitment to international legitimacy. It also expresses once again its readiness to cooperate with the United Nations in combating terrorism in accordance with the Charter of the United Nations, the norms of international law and the generally recognized axioms concerning national sovereignty.

On the basis of the foregoing, the Syrian Arab Republic transmits to the Committee information and answers to the questions arising in connection with the following paragraphs:

Paragraph 1 (a)

- **Please could the Syrian Arab Republic describe any legislative changes or new practical measures which have been made since the adoption of the resolution on counter-terrorism?**

The legislation in force in the Syrian Arab Republic has long included legal texts that impose severe penalties for all acts relating to terrorism committed by any person, whether principal, accomplice, accessory or abettor. Here let us mention the provisions contained in the Penal Code of the Syrian Arab Republic, promulgated by legislative decree No. 148 of 22 June 1949, article 278 of which reads as follows:

> The authors of acts, writings or speeches for which permission has not been granted by the Government and which expose Syria to the risk of acts of aggression, disturb its relations with other States or expose Syrians to acts of retaliation committed against their person or their property shall be punished by a term of imprisonment;

Article 280 of the Penal Code provides that anyone who, within Syrian territory and without the approval of the Government, recruits soldiers to fight for a foreign State shall be punished by a term of imprisonment.

Under article 298 of the Penal Code, any aggression either aimed at stirring up civil war or sectarian fighting through arming Syrians or inducing them to take up arms against each other or involving incitement to kill and plunder in any locality or localities shall be punishable by hard labour for life, and by death if the aggression takes place.

Article 299 provides as follows:

> Anyone who heads or assumes any position or leadership of any nature whatsoever in an armed band, either for the purpose of invading a town or locality or destroying property belonging to the State or to a group of people or for the purpose of attacking or resisting the public force [acting] against the perpetrators of such offences shall be punished by hard labour for life.

Article 300 of the Penal Code provides further clarification concerning the penalty for participation in armed bands, as follows:

> The penalty for participating in armed bands created for the purpose of committing any of the offences provided for in articles 298 and 299 (relating to sedition and gangs) shall be hard labour for life.

Article 304 defines the concept of terrorist acts as follows:

> "Terrorist acts" means all acts intended to create a state of fear which are committed by means such as explosives, inflammable materials, poisonous or burning products or epidemic or microbial agents likely to cause public danger.

Article 305, which defines conspiracies, establishes the penalties to be imposed on their perpetrators as follows:

Paragraph 1. Conspiracy aimed at the perpetration of a terrorist [act or] acts is punishable by a term of hard labour.

Paragraph 2. Every terrorist act entails a penalty of 15 to 20 years' hard labour.

Paragraph 3. It entails the death penalty if the terrorist act results in the destruction, even partial, of a building, industrial establishment, ship or installation of any kind or the disruption of means of information, communication or transport, or if the act causes the death of a person.

Article 212 of the Penal Code considers an accomplice to the crime as liable, like the principal, to the penalty specified for that crime in the Code. The article further provides for the aggravation of the penalty in accordance with the provisions of article 247 in the case of a person who organizes participation in the crime or directs the action of accomplices therein.

Article 306, on associations, provides as follows:

> Any and all associations established for the purpose of changing the economic or social character of the State or the basic conditions of society using any of the means indicated in article 304 (i.e., terrorist acts) shall be dissolved and their members shall be sentenced to a term of hard labour.

– **What is the scope of operation of the proposed money-laundering law? The CTC would be grateful for a progress report on the enactment and implementation of that law.**

The scope of operation of the proposed money-laundering law currently being studied by the competent authorities in the Syrian Arab Republic comprises the following:

1. Illegal trafficking in or growing, manufacturing, smuggling or transporting of drugs or psychotropic substances;

2. Acts undertaken by criminal associations, as provided in articles 325 and 326 of the Penal Code, and all offences internationally considered as constituting organized crime;

3. Terrorist offences, as provided in articles 304 and 305 of the Penal Code;

4. Illegal trafficking in or smuggling or manufacture of firearms or parts thereof, ammunition or explosives;

5. Unlawful conveyance of persons for hire, and organized prostitution;

6. Theft or smuggling of or illegal trafficking in nuclear materials;

7. Illegal trafficking in human organs and microbial and poisonous substances;

8. Theft or embezzlement of public or private funds or seizure thereof by way of burglary or looting or by fraudulent means or unlawful alteration or transfer thereof by means of computerized systems;

9. Counterfeiting of currency or other means of payment, government bonds, valuable papers or official documents or instruments;

10. Theft of and illegal trafficking in antiquities and cultural possessions.

In addition, any act having any of the following purposes is considered as money-laundering under the said law:

(a) Concealing the true source of illegal funds by any means whatsoever or providing a false description of such source;

(b) Transferring or substituting funds in full knowledge of their illegality for the purpose of concealing or distorting their origin, or assisting a person involved in the perpetration of a crime in evading responsibility;

(c) Possessing, obtaining, managing or investing illegal funds or using such funds to purchase movable or immovable property or to carry out financial operations, in full awareness that the funds are illegal.

The draft law provides for the establishment, within the Central Bank of Syria, of a body having legal personality whose function will be to investigate transactions suspected of involving money-laundering operations, to report on the degree of truth of the evidence relating to the commission of such offences and to ensure compliance with the principles and procedures provided for in the law.

Paragraph 1 (b)

- **Please outline the existing legal provisions that criminalise acts of financing terrorism as contemplated by this subparagraph.**

Under article 212 of the Penal Code, anyone who finances terrorist acts is deemed an accessory to the crime and is liable to the penalty provided for such crime in the Code.

The penalty for acts of terrorism ranges from 15 to 20 years' hard labour, according to article 305, paragraph 2, of the Penal Code, or even, pursuant to paragraph 3, the death penalty if the terrorist act results in the destruction, even partial, of a public building or an industrial establishment, a ship or an installation of any kind or the disruption of means of information, communication or transport, or if the act causes the death of a person.

Hence it can be seen from the texts which we have cited from the Penal Code of the Syrian Arab Republic that the perpetrator of any act or deed contrary to the law or public order or any act that causes damage or harm to persons, installations or public establishments is punishable in accordance with the laws in force and on the basis of the penalties established in them. It can further be seen, regarding anti-terrorist legislation and existing legal provisions that criminalize acts of financing terrorism, that the perpetrators of terrorist acts of all descriptions, regardless in what manner or under what cloak or cover such acts are carried out and irrespective of whether such perpetrators are principals, accomplices, accessories, abettors, planners or financers, are punished in accordance with the said Code.

- **Please describe the legislative provisions and the procedures that enable your country's economic and financial system to guard against operations carried out by criminal organisations. Are financial intermediaries subject to vigilance obligations, that is, obligations to report suspicious transactions? Please outline the obligations. What are the penalties which may be incurred and have any already been imposed?**

Syria has many laws dealing with the question of the protection of the financial and economic system in general, such as the Law for the Protection of the Socialist System, the Economic Sanctions Law and others. As for financial intermediaries, since the promulgation of Law No. 23 of 2002, which includes the Law on the Central Bank of Syria and the Money and Loan System, they are subject to the control of the Central Bank of Syria. Moreover, under the money-laundering law currently being studied they will be required to report any suspicious transactions.

Paragraph 1 (c)

- **It is not clear from the report whether the Syrian Arab Republic has a system for freezing accounts. Is any legislation in place, or planned, to allow the freezing of assets of groups and individuals pending investigation of apparent links with terrorist or other serious criminal activity?**

There is no system for freezing accounts in the Syrian Arab Republic. From time to time the Ministry of Finance issues decisions for freezing funds in order to protect public finance or pursuant to a request from the investigating authorities in cases involving both the public and private sectors. The courts, too, sometimes have recourse to requests for the freezing of funds pending a final decision on cases brought before them.

The draft law on money-laundering, which provides for the establishment, within the Central Bank of Syria, of an autonomous body having legal personality whose function will be to investigate transactions involving money-laundering operations, permits that body to freeze suspicious accounts until the matter is decided.

Paragraph 1 (d)

- **Could the Syrian Arab Republic please provide a more detailed outline and copies of its anti-terrorist legislation, in particular, articles 304 to 306 of the Penal Code. Please also make clear what types of acts preparatory to an act of terrorism are criminalized by the law of the Syrian Arab Republic.**

Article 304 of the Syrian Penal Code provides as follows:

Terrorist acts means all acts intended to create a state of fear which are committed by means such as explosives, military weapons, inflammable materials, poisonous or burning products or epidemic or microbial agents likely to cause public danger.

Article 305 of the Code provides as follows:

1. Conspiracy aimed at the perpetration of a terrorist act or acts is punishable by a 10 to 20 years' term.

2. Any terrorist act entails a penalty of 15 to 20 years' hard labour.

3. Such an act entails the death penalty if the act results in the destruction, even partial, of a public building, industrial establishment, ship or installation of any kind or the disruption of means of information, communication or transport, or if the act causes the death of a person.

Article 306 provides as follows:

1. Any and all associations established for the purpose of changing the economic or social character of the State or the basic conditions of society using any of the means indicated in article 304 shall be dissolved and their members shall be sentenced to a term of hard labour.

2. In respect of founders and directors, such penalty shall be not less than seven years.

3. Exculpating or mitigating excuses allowable to conspirators under article 262 apply in the case of perpetrators of the offence defined above.

The Syrian legislator has not defined the nature of acts preparatory to an act of terrorism, but rather left that task to the discretion of the judge when examining each individual case. Nevertheless, the legislator has provided penalties for attempted crimes under articles 199 and 200 of the Penal Code, the texts of which are given below.

Article 199 of the Syrian Penal Code provides as follows:

1. Any attempt to commit an offence that has commenced, with acts aimed directly at its perpetration, shall be considered the same as the offence itself unless its completion is prevented by circumstances other than those outside the will of the perpetrator.

2. The penalties specified in the Code may, however, be reduced as follows: the death penalty may be commutated to hard labour for life or a term of 10 to 20 years' hard labour. Or it may be commutated to a term of not less than seven years' hard labour. A sentence of life imprisonment may be commutated to a term of not less than seven years' imprisonment. Any other penalty may be lowered by one half to two thirds.

3. Anyone who commences an act and desists therefrom by choice shall be punished only for those acts committed by him which in themselves constitute offences.

Article 200 provides as follows:

> If all the acts aimed at the commission of a felony have been carried out but have not come to fruition owing to circumstances independent of the will of the perpetrator, the penalty may be reduced as follows: the death penalty may be replaced by hard labour for life or a term of 12 to 20 years' hard labour; hard labour for life may be commuted to a term of 10 to 20 years' hard labour; life imprisonment may be replaced by a term of imprisonment ranging from 10 to 20 years; and any other penalty may be reduced to one half. The penalties stated in this article may be reduced to two thirds if the perpetrator has, solely by his own will, prevented his act from having its effect.

- **Please describe in more detail how Law No. 93 of 1958 is implemented in practice and how this ensures full compliance with the resolution.**

The texts applicable pursuant to Law No. 93 of 1958, on private associations and institutions, include the following:

1. Legislative Decree No. 84 of 28 May 1949, i.e., the Syrian Civil Code, articles 54 and 55 of which define artificial persons and the rights enjoyed by them. The remaining articles of the Civil Code relating to associations were revoked by Law No. 93 of 1958;

2. Legislative Decree No. 199 of 8 April 1952, on the sports system, which defines the aim of sports and the scout movement, in view of the considerable impact which physical exercise and scouting have on the moral upbringing of the youth, imparting to them physical strength and determination and implanting in their minds excellent and noble qualities. This Decree stresses that sports and the related clubs and associations should be kept away from politics and from racial, religious and sectarian factionalism. In other words, the Decree defines its purposes and objectives in terms of concern for the new generation from both the physical and moral standpoints. The related associations are under the supervision of a competent ministry, which monitors the extent to which such associations comply with the regulations in force;

3. Legislative Decree No. 47 of 12 September 1953, containing the Associations and Parties Law. This Decree was revoked by a decision of the President of the Republic issued in Law No. 93 of 1968, article V, paragraph 4, of which provides that Legislative Decree No. 47 of 12 September 1953, containing the Associations and Parties Law, is abrogated.

Here we wish to emphasize once again that the perpetrators of all terrorist acts, whatever the underlying reasons or motives may be and irrespective of whether such perpetrators are principals, accomplices, accessories, financers or abettors, are punished , as are persons who assist or provide safe haven to terrorist elements under any name or watchword, as provided by the laws in force in the Syrian Arab Republic.

- **The CTC would be grateful for information on cases of successful prosecution in respect of the provision of financial assistance for the carrying out of terrorist acts, whether within or outside the territory of the Syrian Arab Republic.**

Here one should refer back to aarticle 304 of the Penal Code, which defines terrorist acts; article 305, which establishes the penalties for committing terrorist acts; and article 306, which establishes the penalty for founders and directors of associations established for the purpose of changing the economic or social character of the State as not less than seven years.

In other words, as mentioned previously, anyone who commits, plans, finances or abets, participates or intervenes in or provides refuge to the perpetrator or perpetrators of terrorist acts shall be punished in accordance with the Penal Code.

With regard to the question of successful prosecution, the security authorities entrusted with such prosecution, i.e., members of the judicial police, cooperate with the Office of the Public Prosecutor in the prosecution of the perpetrators of terrorist acts. Depending on the offence committed, after the apprehension and examination of the perpetrators the latter are turned over to the judiciary. In the case of foreign prosecution, the judicial police in Syria cooperates successfully and effectively with the security authorities in the other State with a view to the prosecution of the perpetrators of the offence. There exist successful and fruitful agreements on this subject with numerous States. In addition, the judicial police in Syria engages in ongoing cooperation with the International Criminal Police Organization (INTERPOL) based on the exchange of information and the prosecution of the perpetrators of criminal and terrorist acts.

Paragraph 2 (a)

- **Please provide a more detailed explanation of legislation aimed at prohibiting the establishment of paramilitary groups in the Syrian Arab Republic and of any legislation aimed at prohibiting or limiting the acquisition or possession of weapons both within and outside the Syrian Arab Republic.**

Lawful enlistment in the Syrian Arab Republic is that effected for the performance of national military service in accordance with Legislative Decree No. 115 of 5 October 1953, which contains the Military Service Law.

Article 280 of the Penal Code provides that anyone who, within Syrian territory and without the approval of the Government, recruits soldiers to fight for a foreign State shall be punished by a term of imprisonment.

On the question of weapons, Legislative Decree No. 51 of 24 September 2001, containing the Arms and Ammunition Law, includes the following articles:

Article 2. It is prohibited for anyone other than the competent governmental authorities to manufacture military handguns, hunting rifles, training weapons or any other military weapons or the related ammunition.

Article 3. (a) The importation, exportation and transport of the weapons and ammunition referred to in the present Legislative Decree are reserved for the public sector, which shall also have the exclusive right to distribute them in accordance with the regulations and directives in force.

(b) All the rules applied in the Ministry of Defence concerning the importing of weapons, ammunition and fireworks shall remain in force.

Article 5. The bearing and possession of military handguns, hunting rifles and the related ammunition without prior permission is prohibited.

Article 6. The possession of training weapons and the related ammunition is subject to authorization, which shall be granted solely to shooting clubs authorized in accordance with the regulations, and the carrying thereof outside the premises of those clubs is prohibited.

Article 52. All permits for the carrying and possession of military rifles granted prior to the date of this Legislative Decree are revoked. Holders thereof shall be required to turn over their weapons and the permits for the carrying and possession thereof to the nearest internal security forces centre within three months from the date of issue hereof. The Ministry of the Interior shall be charged with turning over such weapons to the Ministry of Defence in accordance with schedules. The Ministry of Defence shall issue a decision on the manner of receipt of the weapons and the amount of compensation payable to their owners.

Paragraph 2 (b)

- **Does the Syrian Arab Republic have a body specialized in counter-terrorism, or is this the responsibility of a number of departments or agencies? In the latter case, how is coordination between the various entities effected?**

Counter-terrorism is entrusted to a number of agencies coordination among which is assured by the Office of National Security in the capital and security committees in the governorates. Each agency carries out the measures entrusted to it by the coordinating authority.

Paragraph 2 (c)

- **Please could the Syrian Arab Republic describe the main provisions of its legislation relating to immigration control and the granting of the right of asylum, and provide copies. Please indicate how criminal groups are prevented from abusing those provisions. Please provide a statement of the conditions for the issuance of identity documents, particularly passports, to aliens.**

The Aliens Entry and Residence Law, promulgated by Legislative Decree No. 29 of 15 January 1970, contains the following articles:

Article 2. Aliens shall be permitted to enter or leave the territory of the Syrian Arab Republic only if they are the bearers of a valid passport or any document taking the place thereof and granting them the right of return, issued by the competent authority of their country or any other recognized authority. The passport or other document must be stamped with an entry or transit visa from the Ministry of the Interior, a diplomatic mission, a Syrian Arab consulate or any other body charged by the Syrian Arab Republic with granting such visas.

Article 3. A national of any foreign State may be exempted, by a decree based on a proposal of the Minister of the Interior, from the requirement to obtain a visa or to bear a passport and the Minister of the Interior may exempt any alien he sees fit from that requirement.

Article 4. Aliens shall be permitted to enter or leave the territory of the Syrian Arab Republic only at the places designated by decision of the Minister of the Interior and with the permission of the competent authority at the border. Upon such entry or exit a visa shall be stamped on the passport or document taking its place.

Article 5. It may be required, by decision of the Minister of the Interior, that aliens obtain an exit visa prior to their departure from the territory of the Syrian Arab Republic; [...] demonstrate the discharge thereof upon their arrival in or departure from the territory of the Syrian Arab Republic; [...] present to the competent official a list giving the names of the men and passengers on their ships or aircraft and particulars concerning them. Furthermore, [...] shall be required to report the competent authorities the names of passengers who do not have passports and those who are carrying improper or invalid passports and to prevent such passengers from leaving or boarding the vessel or the aircraft without permission from those authorities.

Article 7. Aliens shall be required to present themselves, within 15 days from their date of entry into the territory of the Syrian Arab Republic, at the Emigration and Passport Department in the capital, one of its branches in the governorates, the competent Emigration and Passport Centre or, if no such office exists, the nearest police unit and provide the required civil status data by completing the form prepared by the Ministry of the Interior.

Article 9. Any alien desiring to change his place of residence must report his new address to the Emigration and Passport Department or its branch in the governorate in which his new place of residence is situated. If he moves to a municipality outside the capital of the governorate, he must, within two days of his arrival, report to the competent Emigration and Passport Centre or, if no such centre exists, to the nearest police unit of the municipality to which he has moved. Aliens who have presented a diplomatic visa during the first month following their arrival in the country shall be exempted from this requirement.

Article 11. Persons in charge of the management of hotels, inns or other similar establishments and individuals that house, lodge or rent living quarters to an alien must report to the Emigration and Passport Department, its competent branch or centre or, if no such centre exists, the nearest police unit, the name and place of residence of the alien within two days after his arrival and departure.

Article 12. Every alien must, during his stay in Syria, present to the competent authorities, upon request, his passport or any document taking its place or any data requested from him within the time limit allotted to him. In the event that his passport or such other document is lost or damaged, he must, within three days from the occurrence of the loss or damage, notify the competent branch of the Emigration and Passport Department or Emigration and Passport Centre or, if none exists, the nearest police unit.

Article 13. Any person who employs an alien must notify the competent branch of the Emigration and Passport Department or Emigration and Passport Centre, using the form prepared for that purpose, within three days from the start and termination of such employment.

Article 15. Any alien desirous of residency must have obtained a residence permit and must depart from the territory of the Syrian Arab Republic upon the expiration thereof.

Article 138 - 2. The provisions relating to Arab Palestinian refugees contained in the decision issued in Law No. 89 of 1960, in particular article 18, paragraph (a) thereof, shall remain applicable

until the adoption of special legislation to regulate their situation with regard their entry, residence and travel and the related documents.

Law No. 89 of 18 March 1960

Article 18. Aliens having special residence status are: [...].

Article 33. The Minister of the Interior shall determine, in a decision issued by him, the form and conditions of travel documents granted to certain classes of foreign refugees; the conditions and procedures for the granting thereof; the amount of the related fees, provided, however, that such amount shall not exceed three Egyptian pounds or 27 Syrian pounds; and the cases in which total or partial exemption therefrom is to be granted.

Law No. 42 of 31 December 1975

Article 7. Passports are granted to all nationals of the Syrian Arab Republic and to Palestinian refugees in the Syrian Arab Republic who fulfil the related requirements.

Article 8. Passports of various types are granted to Syrian nationals and other persons and authorities who apply for them when the Minister of the Interior considers that there is cause for granting them passports and in the manner that he deems appropriate.

- Please see the response relating to paragraph 2 (b).

Article 4 of the Arab Convention for the Suppression of Terrorism provides as follows:

Contracting States shall cooperate for the prevention and suppression of terrorist offences, in accordance with the domestic laws and regulations of each State, as set forth hereunder:

1. Contracting States shall undertake to promote the exchange of information between and among them concerning:

(a) The activities and crimes of terrorist groups and of their leaders and members; their headquarters and training; the means and sources by which they are funded and armed; the types of weapons, munitions and explosives used by them; and other means of aggression, murder and destruction;

(b) The means of communication and propaganda used by terrorist groups; their modus operandi; the movements of their leaders and members; and the travel documents that they use.

2. Each contracting State shall undertake to notify any other Contracting State in an expeditious manner of the information it has concerning any terrorist offence that takes place in its territory and is intended to harm the interests of that State or of its nationals and to include in such notification statements concerning the circumstances surrounding the offence, those who committed it, its victims, the losses occasioned by it and the devices and methods used in its perpetration, to the extent compatible with the requirements of the investigation and inquiry.

- **The CTC would be grateful to know whether the legislation applies to all terrorist groups and individuals or only those mentioned in the report.**

This legislation applies to all.

Paragraph 2 (d)

- **Please outline the provisions of domestic law incorporating the principles of the Arab Convention for the Suppression of Terrorism.**

The Syrian Arab Republic participated in the drafting of the 1988 Arab Convention for the Suppression of Terrorism, which it has signed and ratified, and also participated in the establishment of the mechanism for its implementation. Articles 1 and 2 of the Convention contain a definition of terrorism and terrorist offences. Part two, chapter I, of the Convention stipulates measures for the prevention and suppression of such crimes, and chapter II of the same part provides for the extradition of terrorist offenders, including accomplices, accessories and abettors. Through the accession of the Syrian Arab Republic to the Convention, it became part of Syria's domestic legislation and applicable for condemning or for assisting other States in the suppression of such crimes, for extraditing or requesting the extradition of offenders or for the exchange of information and documents relating to terrorist offences.

Paragraph 3 (b)

- **To what bilateral or multilateral agreements in the field of judicial assistance and extradition is the Syrian Arab Republic a party? What are the legal procedures required by the Syrian Arab Republic for the execution of a request by another country for assistance or extradition?**

From the first days of independence, the legislation of the Syrian Arab Republic has criminalized terrorism, as we mentioned in connection with article 1, and legislation has been enacted to help combat criminal acts. The Law on the Extradition of Criminals, Law No. 53 of 5 April 1955, was enacted to facilitate cooperation between the Syrian Arab Republic and other States in the apprehension of offenders and their extradition to the State having jurisdiction to try them. For that purpose, a special committee has been formed to decide on requests submitted by other States.

The bilateral treaties on judicial cooperation concluded by the Syrian Arab Republic with other States contain special rules on judicial assistance and the extradition of criminals. Syria is also a party to the Arab Convention on Judicial Cooperation, know as the Riyad Convention, chapter VI of which provides for the extradition of suspects and persons who have been sentenced. The same is true in respect of the Model Treaty on Extradition, adopted in 1990 at the eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. All this represents action aimed at suppressing crime, terrorist offences, and at denying asylum to offenders within the territory of the Syrian Arab Republic.

The Syrian Arab Republic participated in the drafting of the 1988 Arab Convention for the Suppression of Terrorism, which it has signed and ratified, and also participated in the establishment of the mechanism for its implementation. Articles 1 and 2 of the Convention contain a definition of terrorism and terrorist offences. Part two, chapter I, of the Convention stipulates measures for the prevention and suppression of such crimes, and chapter II of the same part provides for the extradition of terrorist offenders, including accomplices, accessories and abettors. Through the accession of the Syrian Arab Republic to the Convention, it became part of Syria's domestic legislation and applicable

for condemning or for assisting other States in the suppression of such crimes, for extraditing or requesting the extradition of offenders or for the exchange of information and documents relating to terrorist offences.

The Syrian Arab Republic participates in the drafting of international conventions, including those relating to terrorist acts, and was one of the first States to announce its condemnation of terrorist acts and to call for the definition of terrorist acts and terrorist offences, for the sake of clarification, justice and right.

Paragraph 3 (d)

- **Please could the Syrian Arab Republic provide a report on the progress of its intended ratifications of those universal anti-terrorism conventions which it has not yet ratified.**

Syria has acceded to four conventions on terrorism, which have come into force as part of Syrian law, and its accession to other such conventions is now being studied by the authorities concerned in Syria, namely:

1. International Convention for the Suppression of Terrorist Bombings;
2. International Convention for the Suppression of the Financing of Terrorism;
3. International Convention against the Taking of Hostages;
4. Convention on the Marking of Plastic Explosives for the Purpose of Detection;
5. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf;
6. Convention for the Suppression of Unlawful Acts [....].

Paragraph 3 (e)

- **Please outline the provisions of domestic law that embody the principles of the four anti-terrorism conventions to which the Syrian Arab Republic is already a party.**

All legislative texts and the conventions mentioned above as well as others to which the Syrian Arab Republic is a party are in force in our country.

Paragraph 3 (g)

- **What is meant by the term "offences of a purely political character" and what authority makes that assessment in respect of the alleged offences of a person whose extradition is requested by a third State?**

In respect of political offences, the Penal Code provides as follows:

Article 195

1. Political offences are intentional offences committed by the perpetrator out of political motives.

2. They also include offences against collective or individual political rights, provided that the perpetrator is not driven by base, selfish motives.

Article 196

1. Offences compounding or concomitant with political offences are considered political offences provided that they are not among the grossest felonies with regard to morals or common rights, such as killing, serious injury, attacks against property by burning, exploding or flooding or serious theft, especially when committed with weapons and violence; similarly considered are attempts to commit such felonies.

2. In civil war or rebellion, compounding or concomitant crimes are considered political only if the customs of war do not prohibit them and they are not barbaric acts or acts of sabotage.

Article 197

1. If the judge ascertains that the offence has a political character, he shall award the following penalties:

   - Life imprisonment in lieu of the death or hard labour for life;

   - A term of imprisonment, exile, house arrest or deprivation of civil rights in lieu of a term of hard labour;

   - Simple imprisonment or house arrest in the case of a misdemeanour committed against the external security of the State.

Article 198

If the judge determines that an offence punishable as a political offence was committed out of a base, selfish motive, he shall substitute the penalty provided by law for the corresponding penalty indicated in the foregoing article. However, life imprisonment shall not be converted to any penalty other than hard labour for life.

Paragraph 4

- **Has the Syrian Arab Republic addressed any of the concerns expressed in paragraph 4 of the resolution?**

In the cases handled in Syria have there has not been any evidence of any connection between them and organized crime.